IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

Bail Appl..No. 21 of 2007(C)

CMP.15676/2006 of J.M.F.C.,KARUNAGAPPALLY
CR 212/06 of Karunagappally Excise Range

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: PETITIONER/ACCUSED:

CHANDRA BABU, AGED 35,
S/O.NEELAKANTAN, PULINKEEZHIL THEKKATHIL,
KOTTAKKUPURAM MURI, KULASEKHARAPURAM,
KOLLAM DISTRICT.

BY ADV. SRI.H.HARIKUMAR (KOLLAM)

RESPONDENT: COMPLAINANT:

THE STATE OF KERALA,
(EXCISE INSPECTOR OF KARUNAGAPPALLY RANGE CRIME NO.212/2006) REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 21 of 2007

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Dated this the 8th day of January, 2007.

ORDER

Petitioner, who is the accused in C.R.No.212 of 2006 of Karunagappally Excise Range for offences punishable under Section 8 (1) and (2) of Abkari Act for allegedly having been found in possession of 30 litres of arrack on 6.11.2006 and who was arrested on the same day, seeks his enlargement on bail.

2. Even though the learned Public Prosecutor opposed the application, it is seen that no final report has been filed even after 60 days of judicial custody of the petitioner. If so, the petitioner is entitled to bail as of right by virtue of the proviso to Section 167(2) Cr.P.C.

3. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Karunagappally and subject to the following conditions:

1. Petitioner shall report before the Investigating

Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. Petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. Petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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